



Privacy Advisory Commission
February 6, 2025; 5:00 PM
Oakland City Hall
Hearing Room 1
1 Frank H. Ogawa Plaza, 1st Floor
DRAFT Regular Meeting Minutes

Commission Members: District 1 Representative: Reem Suleiman, District 2 Representative: Don Wang, District 3 Representative: Brian Hofer, Chair, District 4 Representative: Lou Katz, District 5 Representative: Vacant, District 6 Representative: Gina Tomlinson, District 7 Representative: Sean Everhart, Council At-Large Representative: Henry Gage III, Vice Chair, Mayoral Representative: Jessica Leavitt

1. Call to Order, determination of quorum

In attendance: Chair Brian Hofer, Vice Chair Henry Gage, Commissioners Sean Everhart, Lou Katz, Jessica Leavitt, Reem Suleiman, Gina Tomlinson and Don Wang.

2. Open Forum/Public Comment on Non-Agenda matters

No public comment.

Announcement: Immediately following the call for public comment, Chair Hofer announced that Secure Justice is hosting a Privacy Self-Defense Workshop in Oakland on April 12 from 10am – 3pm at OakStop, 23rd and Broadway. It's also an immigration resource fair. He's looking for floaters to attend the event and provide translation and assist participants with basic technology support, including basic privacy information. Anyone interested in participating should contact Brian Hofer. Honorarium funding is available. Refreshments and childcare will be provided.

3. Privacy Advisory Commission – Staff – Update on status of website document uploads and organizing

Felicia Verdin, Assistant to the City Administrator provided an update on the PAC's page on the City of Oakland website. All the policies put forward by the PAC and many other documents have been added to the website. Work on the website continues. Ms. Verdin thanked Chair Brian Hofer

for providing technical assistance from Secure Justice to research use policies, impact reports and other documents that need to be uploaded to the PAC's page. Staff will continue to update the website with annual reports and further discussion on continuing this task will take place offline.

4. Surveillance Technology Ordinance – OPW – Informational Report regarding OPD request for video footage
 - a. Review and take possible action

Michael Tecson, Administrative Analyst with Oakland Public Works, Recycling and Environmental Enforcement Program provided the update.

On the morning of December 5, 2024, OPD Officer Christopher Hatcher reached out to his supervisor Mona Bissret Martinez. There was a forcible and violent crime committed that morning at the intersection of 24th & Campbell. Officer Hatcher asked Supervisor Martinez if there were any surveillance cameras in the area. Supervisor Martinez confirmed that there was one about a block away at 24th & Willow. Officer Hatcher sent a formal written request for surveillance footage on the same day at 10am. He provided the report number.

Supervisor Martinez asked Mr. Tecson to look through the camera footage and download any relevant information. The officer provided the details on the type of vehicle to look for and the time period. On the morning of December 5, 2024, the suspect vehicle did appear in frame for about a minute and a half on the same day. OPD officers went to 250 Frank Ogawa Plaza to view the footage.

The Chair asked for a follow-up. On January 28, 2025, OPD confirmed that the suspect vehicle and individuals were able to be identified partially due to the footage provided.

No questions from members of the PAC. The PAC received the report.

5. Privacy Advisory Commission – Chair – Proposed Amendment to Bylaws to allow remote public comment
 - a. Review and take possible action

Chair Hofer began the conversation about remote participation during PAC meetings. Amadis Sotelo will be requested to provide legal advice on the best way to proceed with noticing public meetings.

The Chair asked about the technology to allow public comment. Staff shared that the public could participate in PAC meetings remotely via Zoom.

It's at the discretion of the chair to allocate time for public comment. This item will return to the PAC on March 6.

6. Privacy Advisory Commission – Chair – Establish ad hoc group to survey existing City data collection and retention practices for potential exposure to Federal executive orders and statutory obligations, with a focus on Immigrant, LGBTQ, and DEI related programs
 - a. Review and take possible action

Chair Hofer raised concerns about the level of data that is being collected by the City of Oakland and that can be potentially shared with the federal government. There is a need to collect certain data for very good reasons. It is important to manage and maintain this data.

The Chair provided examples of privacy data that is being collected by the City of Oakland including the Department of Violence Prevention and the Cannabis Equity Program. He raised concerns about the data collected with the Oakland municipal ID card and the risk it presents to the individuals that applied. He also indicated that during the Ransomware attack there was data being kept by the City that did not need to be maintained. "Data collected is data at risk." Collect the bare minimum of data, maintain the data for the shortest period of time possible and delete it. As an example, there may be a need to keep certain data for two years and if the City keeps the data for five years that could expose the city to data risks.

The Chair proposed a data survey for the City of Oakland. Look at data retention schedules at what can be at risk for marginalized people. The purpose of the survey is to determine what data is being collected. In the survey, define the exposure of data such as immigration data, gender, age, race, etc. It is necessary to collect demographic data. Now there is a risk of keeping and sharing that data. As an example, the Departments of Race and Equity and the Department of Violence Prevention can delete certain data types if it is no longer needed.

Commissioners recommended prioritizing the survey collection by department as opposed to data type and identify any data types that are proxy or high risk. Departments should use their best judgement to determine which data types should be addressed. The Chair will discuss this with Tony Batalla and determine the top 3 or 4 departments to analyze the data they collect.

The City of Oakland recently updated its citywide retention schedule. The retention schedule should not be a one size fits all schedule. Present the information to the elect officials so they understand the risk.

The chair will follow-up and send additional information. He's recommending that the entire board participate in the effort. This item will be added to the next meeting agenda.

Early June would be a target date to collect and present the survey results to city leadership.